

**AGENDA
CITY OF FAYETTEVILLE
ZONING COMMISSION
COUNCIL CHAMBERS
1ST FLOOR, CITY HALL
ELECTRONIC/ZOOM MEETINGS
JULY 14, 2020 @ 6:00 P.M.**

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CITY OF FAYETTEVILLE
ZONING COMMISSION
COUNCIL CHAMBERS
1ST FLOOR, CITY HALL
ELECTRONIC/ZOOM MEETINGS
JULY 14, 2020 @ 6:00 P.M.**

- I. APPROVAL OF AGENDA**
- II. INTRODUCTION OF COMMISSION MEMBERS**
- III. APPROVAL OF MINUTES FROM MAY 26, 2020, MEETING**
- IV. PUBLIC HEARINGS**

VARIANCE(S) / SPECIAL USE PERMIT(S) / REZONING(S):

A20-16F. Request to issue a Variance to reduce the front yard setback from 50-feet to 40-feet and allow the reconstruction of a building in the previous building footprint, located at 2828 Enterprise Ave., (Tax Map# 0426-43-7659), represented by George Rose and being the property of MEGMAC, LLC. (Jennifer Baptiste)

A20-17F. Request to issue a variance reduction in the required side setback from 15-feet to 5-feet thus allowing the construction of a two-car carport/garage, located at 409 Devane Street (Tax Map # 0427-83-3502) and being the property of Jack and Daphne Mellott. Requested to be postponed. (Hadley Joseph)

P20-22F. Request to initially zone property from Commercial with Plan (CP) to Community Commercial (CC), located on Raeford Road at its intersection with Bullard Circle (Tax Map # 0541-05-6993), containing 3.44 +/- acres, represented by Steve Oliverio and being the property of Meena Dave, Pramukh Enterprises LLC. (Craig Harmon)

P20-23F. Request to rezone property from Single Family Residential 6 (SF-6) to Community Commercial (CC), located at 4643 Yadkin Road, near its intersection with Castle Hayne Road (Tax Map # 0418-13-6911), containing 0.23927 +/- acres, represented by George Turner and being the property of Joseph Orsak. (Craig Harmon)

P20-12F. Rezoning of all or portions of properties located on Candlelight Drive off Kenwood Drive and on Arbor Road from Single-Family Residential 6 (SF-6), Single-Family Residential 10, and Limited Commercial (LC) to Mixed Residential 5 (MR-5), totaling 8.82 acres ± and being the properties of Measamer Construction Co. Inc and Westco Properties, LLC, represented by Tim Clark of McKim and Creed. (Jennifer Baptiste)

V. OTHER BUSINESS

VI. ADJOURNMENT

Please be advised that the City of Fayetteville Zoning Commission will conclude its meeting at 10:00 p.m. or after all business is completed, whichever comes first. If the Zoning Commission is in the midst of a case at 10:00 p.m., it is our intention to finish that case before adjournment. Cases yet to be heard will be continued to a date certain. Thank you for keeping your comments brief.

**MINUTES
CITY OF FAYETTEVILLE
ZONING COMMISSION
COUNCIL CHAMBERS
ELECTRONIC/ZOOM MEETING
MAY 26, 2020 @ 4:00 P.M.**

MEMBERS PRESENT

Kevin Hight - Chair
David Baran - Vice Chair (Arrived at 4:17 p.m.)
Bryant S. Edwards
Willie Dorman Jr.

STAFF PRESENT

Taurus Freeman, Planning & Zoning Division Manager
Jennifer C. Baptiste, Senior Planner
Craig Harmon, Planner II
Hadley Joseph, Planner II
Ennis Edwards, Planner I
Heather Eckhardt, Zoning Administrator
Lisa Harper, Assistant City Attorney
Catina Evans, Office Assistant II

The May 26, 2020, Zoning Commission Meeting was called to order by Chairman Kevin Hight at 4:10 p.m. Hight opened the meeting and asked the Commissioners to introduce themselves and asked them if they had any conflicts. The commission members stated they had no conflicts. David Baran arrived at 4:17 p.m.

Hight requested a motion to table case P20-12F.

MOTION: Bryant Edwards motioned to table case P20-12F.
SECOND: Willie Dorman Jr.
VOTE: Unanimous (3-0)

I. APPROVAL OF AGENDA

MOTION: Willie Dorman Jr. motioned to approve the meeting agenda.
SECOND: Bryant Edwards
VOTE: Unanimous (3-0)

II. MINUTES FOR MARCH 10, 2020, MEETING

MOTION: Willie Dorman Jr. motioned to approve the minutes from the March 10, 2020, meeting.
SECOND: Bryant Edwards
VOTE: Unanimous (3-0)

III. PUBLIC HEARINGS

The Zoning Commission is charged with the review of applications for rezoning, conditional rezoning, variances, and special use permits. We review according to standards put forth in the unified development ordinance and ultimately make recommendations to the city council. The burden of demonstrating that an application complies with applicable standards is on the applicants. Our job is to listen to the testimony from both sides, be objective and fair at all times. Ultimately our goal is to preserve the character and integrity of our neighborhoods. The findings of tonight's hearings will be voted upon by this commission, and the result and recommendations passed on to the city council. The extent of which any person feels aggrieved or hurt by our

recommendation, they have the right to appeal to the city council, within 10 days of the recommendation. With respect to your presentation each side has a total of 15 minutes to present their case either for or against the applicant's request. However, this rule does not apply to Special Use Permits. The time used in responding to questions asked by the commission will not be counted against you.

Due to the COVID-19 pandemic, this meeting was held electronically. Members of the public can view this meeting via the Zoom Meeting teleconferencing platform. This hearing is a public hearing. The written comments regarding this case will that were submitted prior to this meeting on will be considered by the Commission. The public hearing will remain open for 24 hours after the case has been heard to allow for the submission of written comments. Anyone wishing to provide written comments may do so during this time. At the expiration of this 24 hour period the public hearing will be closed. All submitted comments will be forwarded to the City Council for consideration along with the Board's recommendation. Written comments should be sent by email to the Planning Division at tfreeman@ci.fay.nc.us.

P20-18F. Craig Harmon presented the request to rezone a portion of a property from Mixed Residential 5 (MR-5) to Limited Commercial (LC). The property is located on Raeford Road and contains 15 ± acres of land. Parcels to the east of the area are zoned Community Commercial (CC) along with a small tract of Agricultural Residential (AR) and to the west is Limited Commercial (LC) and Mixed Residential 5 (MR-5). Staff recommended approval of the requested SUP.

Staff recommended approval based on:

- This proposed zoning map amendment implements the policies adopted in the Unified Development Ordinance. This district type is intended to accommodate a wider range of moderate-intensity general retail, business, and service uses that serve groups of neighborhoods instead of just an individual neighborhood, along with high density residential—e.g., grocery stores, drugstores, large restaurants, gas stations, and higher order retail uses like specialty stores. and;
- The uses permitted by the proposed change in zoning district classification and the standards applicable to such uses will be appropriate in the immediate area of the land to be reclassified due to the existing zoning and uses surrounding this property; and
- There are no other factors which will substantially affect the public health, safety, morals, or general welfare.

Since there were no questions, Hight asked for witnesses to come forward and speak. Harmon noted that the applicant Charles Morris should be logging in to the video conferencing platform to speak.

Charles Morris - 831 Arsenal Avenue, Fayetteville, NC 28305

Charles Morris stated that he has a multi-family lot and wanted it zoned Light Commercial to enhance the current area and assist in their marketing of the multi-family lot on the property. Morris thought it would be in the City's best interest to rezone it as a family friendly Light Commercial zoned area.

Hight asked if there were any further questions regarding the case and acknowledged David Baran's arrival to the meeting. He established that Baran did not have any conflicts with the cases and noted that Baran will be excluded from the vote on case P20-18F because he was not present to hear the details of the case. Hight stated that case P20-18F would be open until 4:18 p.m. on Wednesday, May 27, 2020, and he requested a motion.

MOTION: Bryant Edwards motioned to accept the staff recommendation to approve P20-18F.
SECOND: Willie Dorman Jr.

VOTE: Unanimous (3-0)

Hight opened the hearing for case P20-15F.

P20-15F. Craig Harmon presented a request for a Special Use Permit (SUP) to build a duplex in the area zoned Single Family Residential 6 (SF-6), located at 1805 Bragg Boulevard. The property is in a residential area and once contained a house which has since been demolished. The applicant wishes to build a two-story duplex with a circular driveway where the house previously stood. The staff recommended approval of the request for the SUP.

The staff recommended approval based on:

- This proposed SUP implements the policies adopted in the Unified Development Ordinance;
- The development of this use is allowed in the Single Family 6 district and will not detract from the overall area;
- The proposed SUP ensures that new development is compatible with the current zoning, UDO, and overall growth pattern of the area;
- The attached site plan, elevations, evidence provided by the developer and the conditions recommended above; and
- There are no other factors which will substantially affect the public health, safety, morals, or general welfare.

Hight asked for any speakers and Harmon stated that the applicant Mr. Rodney Davis would speak. Mr. Davis did not respond to the request to speak. Therefore, Hight stated that the case P20-15F would remain open until 4:27 p.m. Wednesday, May 27, 2020. Hight requested a motion.

MOTION: Kevin Hight motioned to accept the staff recommendation to approve the SUP for P20-15F.

SECOND: David Baran

VOTE: Unanimous (4-0)

Hight opened the public hearing for case P20-19F.

P20-19F. Jennifer Baptiste presented the request for a Special Use Permit for a reduction of the required 500 ft. distance separation between a warehouse storage site and residential districts. The land is located on Hillsboro Street. The applicant seeks to build a more modern structure on the lot in order to expand business. To the west of the land is the railroad line and across the railroad tracks is a residential area. Operation Inasmuch and St. Luke's AME Church are located to the south. Staff recommends approval for the request for the SUP.

The staff recommended approval based on:

- The proposed SUP implements the policies adopted in the Unified Development Ordinance;
- The expansion of this use is allowed in the Heavy Industrial (HI) district and will not detract from the overall area;
- The proposed SUP ensures that new development is compatible with the 2010 Land Use Plan; and
- There are no other factors which will substantially affect the public health, safety, morals, or general welfare.

Hight asked for speakers to come forward.

Brian C. Welborn (Applicant) - 139 Pinehurst Avenue, Southern Pines, NC 28387

In response to an inquiry regarding a possible increase in traffic on Hillsboro Street due to the project, Brian Welborn stated that the building is being expanded for additional storage space but there should not be an increase in trucks or staff. Hight asked if there were any other questions for Mr. Welborn. Hight acknowledged that the Commission was not able to receive a response from the applicant Mr. Matthew Smith.

Speakers in opposition were as follows:

May Matthews - 918 5th Street, Fayetteville, NC 28311; 520 Edwards St., Fayetteville, NC 28301
(mother's address)

May Matthews spoke on behalf of her mother in opposition of the proposed Special Use Permit. Matthews stated that her mother has lived in the neighborhood for over 50 years. Her concern was that this request for a SUP to build a structure under Heavy Industrial (HI) zoning on the aforementioned property would lead to an increase in traffic and accidents in the area and would endanger the safety of the elderly residents. Additionally, Matthews noted that this development would hurt the property value of current homes. Matthews advised the board that if the SUP was prohibited it would serve to preserve the wellbeing of the residents. She added that commercialization is dangerous and should be left out of the residential areas.

Hight inquired about the hours of operation of the business and the owner Mr. Matthew Smith attempted to unmute his microphone to respond but was unable to do so. Baptiste responded by stating that the owners would not expand business hours on the weekend, but there could be an increase in the hours depending on the level of business.

Speakers in favor were as follows:

Neal Smith (Engineer), 139 Pinehurst Avenue, Southern Pines, NC 28387

Smith, an engineer assigned to the project, stated that the storage space on the premise was used to house long-term commercial rentals, so the traffic flow should not increase in the area. He stated that the owner had intended to expand the business previous years but had not done so.

Bryant Edwards inquired about the 108 foot buffer and Baptiste clarified that there was fencing as well as bushes located within the buffer. Baptiste noted that the applicants did not have any plans to expand parking in the area. Smith added that there was a drop off area for customers, but there will not be any additional activity within the buffer zone.

Hight noted that the hearing for case P20-19F would close at 4:46 p.m. on Wednesday, May 27, 2020. Hight requested a motion.

Edwards noted that the concerns of the citizen Matthews were not necessarily founded on any facts but her concerns about what may occur if the development is approved. Hight added that her concerns and questions were valid and should be brought before City Council.

MOTION: Bryant Edwards motioned to approve the SUP for P20-19F.

SECOND: Willie Dorman Jr.

VOTE: 3-1 (David Baran opposed)

Hight opened the hearing for P20-20F.

P20-20F. Craig Harmon presented the request for a Special Use Permit to build multi-family town house units in an area zoned Single Family Residential (SF-6). The property is located on Bluffside Drive. The applicant Jeffery Nobles of Larry King and Associates needs the SUP to build these units based on the Unified Development Ordinance. The staff recommended the approval of the request for a SUP.

The staff recommended approval based on:

- This proposed SUP implements the policies adopted in the Unified Development Ordinance;
- The development of this use is allowed in the Single Family 6 district and will not detract from the overall area;
- The proposed SUP ensures that new development is compatible with the current zoning, UDO and overall growth pattern of the area;
- The attached site plan, elevations, evidence provided by the developer and the conditions recommended above; and
- There are no other factors which will substantially affect the public health, safety, morals, or general welfare.

Hight requested speakers to come forward.

Jeffery Nobles (Applicant) - 133 Morganton Road, Fayetteville, NC 28314

Nobles stated that the aforementioned area is outside of the flood plain. Therefore, the townhouses would not be built near the flood zone. He added that during the development process, they plan to save as many trees as possible based on the buffer requirements.

Speakers in opposition were as follows:

Malinda Wiggins - 1644 Bluffside Drive, Fayetteville, NC 28312

Wiggins, who has lived in the area over 14 years, is opposed to the development because property values would decrease. She stated that when she moved in the area she was told executive homes (\$300,000-\$400,000) would be built there. Instead lower cost housing was built (\$200,000 homes), and now townhomes will be built there. She stated that the current developments have left the area with a lack of uniform housing. Furthermore, Wiggins noted that the current condos in the area are in need of repair. She has friends who have sold their homes at a reduced value. Wiggins stated that the common area is not large enough to accommodate the level of homes that the developers plan to build on the property. During her neighborhood homeowners meeting the residents made recommendations for the developers, but the developers failed to meet with them. The residents were not even informed about the current plans.

Hight stated that the public hearing for case P20-20F would remain open until 5:22 p.m. Wednesday, May 27, 2020, and he requested a motion.

MOTION: Kevin Hight motioned to deny the request for the SUP to build townhomes for case P20-20F.

SECOND: Bryant Edwards

VOTE: 3-1 (Willie Dorman Jr. opposed)

IV. OTHER BUSINESS

Freeman introduced Ennis Edwards as the newest Planner on the staff, and he introduced Brook Redding, Marketing Analyst and the technician for the Zoom Meeting. Furthermore, Hight extended condolences on behalf of the staff and Commission to Commission member Willie Dorman Jr. on the passing of his wife.

V. ADJOURNMENT

MOTION: David Baran moved to adjourn the meeting.

SECOND: Willie Dorman Jr.

The May 26, 2020, meeting adjourned at 5:27 p.m.

Respectfully submitted by Catina Evans

A20-16F. Request to issue a Variance to reduce the front yard setback from 50-feet to 39-feet in the Heavy Industrial Zoning District and allow the reconstruction of a building in the previous building footprint, located at 2828 Enterprise Ave., (Tax Map# 0426-437659), represented by George Rose and Dean Holzinger and being the property of MEGMAC, LLC.
(Jennifer Baptiste)

ZONING COMMISSION

STAFF REPORT

TO: Zoning Commission Members

THRU: Taurus Freeman – Planning & Zoning Divisional Manager

FROM: Jennifer C. Baptiste, CFM – Senior Planner

DATE: July 14, 2020

RE:

A20-16F. Request to issue a Variance to reduce the front yard setback from 50-feet to 39-feet in the Heavy Industrial Zoning District and allow the reconstruction of a building in the previous building footprint, located at 2828 Enterprise Ave., (Tax Map# 0426-43-7659), represented by George Rose and Dean Holzinger and being the property of MEGMAC, LLC.

Council District:

2 – Shakeyla Ingram

30.2.C.14 Variance:

The purpose of a Variance is to allow certain deviations from the dimensional standards of this Ordinance (such as height, yard setback, lot coverage, or similar numeric standards) when the landowner demonstrates that, owing to special circumstances or conditions beyond the landowner's control (such as exceptional topographical conditions, narrowness, shallowness, or the shape of a specific parcel of land), the literal application of the standards would result in undue and unique hardship to the landowner and the deviation would not be contrary to the public interest.

Variances are to be sparingly exercised and only in rare instances or under exceptional circumstances to relieve undue and unique hardships to the landowner. No change in permitted uses or applicable conditions of approval may be authorized by Variance.

Background:

Owner: MEGMAC, LLC.

Applicant: George Rose

Requested Action: Reduce the front yard setback from 50-feet to 39-feet and allow the reconstruction of a building in the previous building footprint.

Zoning District: Heavy Industrial (HI)

Property Addresses: 2828 Enterprise Avenue

Size: 2.15 acres ±

Existing Land Use: Commercial Sign Sales and Manufacturing

Surrounding Land Uses

North: SF-10: Residential Homes

East: LI: Vendor Storage Center

South: HI: Metal Stamping and Manufacturing

West: HI: Transfer Station

Letters Mailed: 51

The City's UDO Section 30-3.E.9. Heavy Industrial (HI) District

PART II - CODE OF ORDINANCES

CHAPTER 30 – UNIFIED DEVELOPMENT ORDINANCE

Article 30-3: Zoning Districts

30-3.E.9. Heavy Industrial (HI) District

HI HEAVY INDUSTRIAL DISTRICT	PURPOSE	
	The Heavy Industrial (HI) District is established and intended to accommodate heavy manufacturing, assembly, fabrication, processing, distribution, storage, research and development, and other industrial uses that may be large-scale or otherwise have extensive exterior movement of vehicle, materials, and goods, and greater potential for adverse environmental and visual impacts.	
DIMENSIONAL STANDARDS		
DIMENSIONAL STANDARD	PRINCIPAL USES	ACCESSORY STRUCTURES
Lot area, min. (sq. ft.)	40,000	n/a
Lot width, min. (ft.)	100	n/a
Lot coverage, max. (% of lot area)	75	{1}
Height, max. (ft.)	90; 50 when abutting a single-family residential district	
Front and corner setback, min. (ft.)	The lesser of: 50 feet or 75 feet from street centerline of private streets	Not allowed in front, side, or corner side yard areas
Side setback, min. (ft.)	15; 100 where abutting a residential zoning district	
Rear setback,	20; none where abutting a railroad right- of-way; 50 where abutting a residential	5; 75 where abutting a residential zoning

min. (ft.)	zoning district	district
spacing between buildings, min. (ft.)	20	5
NOTES: [1] Accessory structures/use areas shall not exceed the lesser of: 5,000 square feet in size or 30 percent of the allowable lot coverage.		

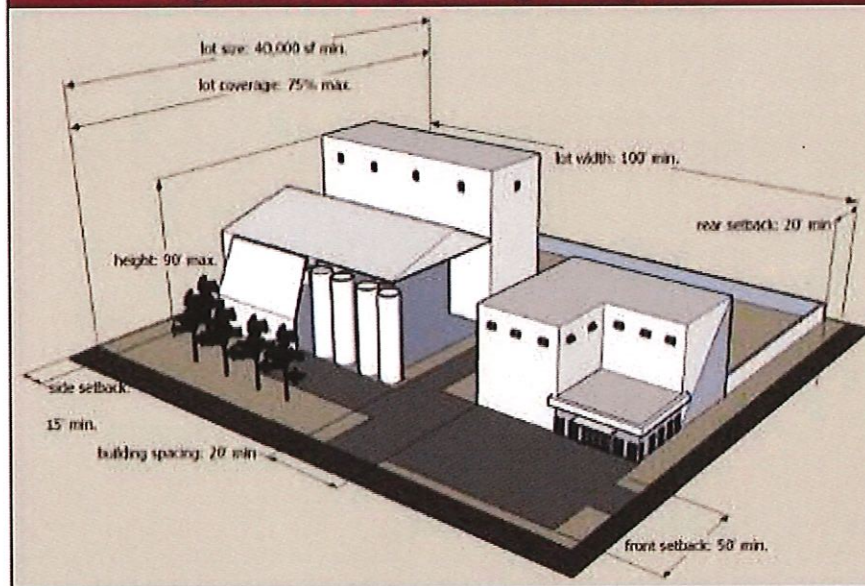
**Figure 30-3.E.9.a:
HI Typical Lot Pattern**



**Figure 30-3.E.9.b:
HI Typical Building Form**



Figure 30-3.E.9.c: HI Typical Building/Lot Configuration



(Ord. No. S2011-014, § 1.3, 11-28-2011; Ord. No. S2012-001, Pt. 3, § 3.2, 1-23-2012)

Issues:

The property in question is an approximately a 2.15-acre, heavy industrial site. The property is located on Enterprise Avenue, just north of Owen Drive. The development standards for the Heavy Industrial (HI) District requires that buildings are constructed and maintain a minimum of 50-feet from the front property line, 20-feet in the rear, and

an 15-feet on the sides. The applicant is requesting that the current Unified Development Ordinance (UDO) standard requiring a front yard setback of 50-feet be reduced to 39-feet in order to allow the reconstruction of a building in the existing building footprint.

Insufficient Justification for Variance

The following does not constitute grounds for a Variance:

1. The siting of other nonconforming or conforming uses of land or structures in the same or other districts;
2. The request for a particular use expressly, or by inference, prohibited in the district; or
3. Economic hardship or the fact that property may be utilized more profitably with a Variance.

Subsequent Development

The minimum lot size for the HI Zoning district is 40,000 square feet. This lot is approximately 93,654 square feet (2.15 acres). Thus, the lot exceeds the minimum required square footage for the zoning district and is a legal conforming lot.

This site was developed in 1978, in accordance to the zoning development standards of the time. The front yard setback for the site was 35-feet from the property line, 20-feet in the rear, and 15-feet on the sides. The site was developed with a 39-foot front setback, which was greater than the minimum in the Ordinance.

With the adoption of the Unified Development Ordinance in 2011, the site became a legal nonconforming site for the front yard setback. MEGMAC, LLC, on behalf of King Signs, purchased the site as is in 2013. The business has been located there since that time without modifying the building or the lot.

On November 18, 2019, a fire damaged a majority of the building. Based on information supplied by the owner, the building was evaluated by an engineer as well as an insurance adjuster. They concluded the building has sustained over 75% loss due to combined smoke and/or fire damage. As a result, the building was declared a total loss except for the building foundation. The owner is intending to salvage the original foundation and reuse it in the reconstruction of a new building.

The applicant stated there are natural impediments that prevent the owner from pushing the building further into the lot. There is a slope in the northwest portion of the property as well as the wet nature of the soils. Also, there are drainage issues in the rear of the lot that makes construction in this area difficult as well as possibly causing difficulties for adjacent property owners.

Finally, if the owner shifted the building more to the rear of the lot, some of the trees used as a buffer between the business and the residential homes to the north would have to be reduced. According to the UDO, a Type D: Opaque buffer is required to be installed and maintained between the use and any residential neighborhood.

Currently, the site has an existing tree line that measures approximately 12,350 square feet and has an existing chain link fence. This buffer is larger than the required Type D

buffer. By pushing the building to the rear, the existing buffer may have to be reduced and could possibly expose the neighboring community to the use.

Planning Staff recommends APPROVAL of the variance to allow a reduction of the front yard setback from 50-feet to 39-feet for the purpose of reconstructing a building in the existing building footprint.

The following findings by the Planning Staff are based on the initial review, analysis and best available information of the proposal without the benefit of testimony provided at the public hearing.

Findings of Fact Statements as reviewed by the Planning Staff:

- 1. There is sufficient evidence that the strict application of the Ordinance requirements results in practical difficulties and unnecessary hardships as shown by the following evidence:**

The slope of the property to the northwest corner as well as the soil type located in the rear of the property minimizes the ability of the owner to reconstruct the building in this area. In addition, the relocation of the building could cause the natural tree line buffer to be reduced and exposure of the neighboring residential to the heavy industrial use.

- 2. There is sufficient evidence that any practical difficulties or unnecessary hardships result from unique circumstances related to the land, and are not the result of the actions of the landowner as shown by the following evidence:**

The property owner did not subdivide the property, but purchased the property as built by the original developer. Since purchase, the owner has not altered the site to increase the nonconformity of the site.

- 3. There is sufficient evidence that the Variance is the minimum action that will make possible a reasonable use of land or structures as shown by the following evidence:**

A Variance is requested by the owner to reduce the front setback from 50-feet to 39-feet to allow the reconstruction of the building. The alternative would be to require the owner to meet the setbacks as documented in the UDO.

- 4. There is sufficient evidence that the Variance is in harmony with the general purpose and intent of this Ordinance and preserves its spirit as shown by the following evidence:**

The development is consistent with the area and is in harmony with the general purpose and intent of this Ordinance. Since the building was located on the site prior to the UDO and the overall area is heavy commercial/industrial, this use is not out of character with the immediate area.

5. **There is sufficient evidence that in the granting of the Variance, the public safety and welfare has been assured and substantial justice has been done as shown by the following evidence:**

There is no evidence that the granting of this variance would harm the public safety, welfare, and substantial justice would be insured.

Options:

The Board's Authority: The board has the authority to approve or deny the request and must base its decision on the answers to the following five required findings of fact:

If a member believes that the evidence presented is substantial, competent, and sufficient to meet the required findings of fact then the member may make a motion to approve the variance and the members must state all of the following five findings of fact along with the evidence that was presented to satisfy each finding.

If the members cannot find specific supporting facts under all five findings of fact, the members must consider a motion of denial. A motion of denial should indicate which of the five (5) of the findings of fact cannot be met.

The board can also place reasonable conditions on any variance approval.

If a member wishes to make a motion to approve the variance they should make a brief statement that recaps the evidence showing each of the five findings of fact. Any discussion by the Board following a motion may include a recap of the evidence supporting each of the five (5) factual findings.

Possible Motions and Factual Findings:

Motion to approve the variance(s) as requested reducing the front yard setback from 50-feet to 39-feet to allow the reconstruction of the building in the previous building footprint in the Heavy Industrial zoning district.

Findings of Fact Required to Approve this Request:

1. Strict application of the Ordinance requirements results in practical difficulties and unnecessary hardships as shown by the following evidence:

2. Any practical difficulties or unnecessary hardships result from unique circumstances related to the land, and are not the result of the actions of the landowner as shown by the following evidence:

3. The Variance is the minimum action that will make possible a reasonable use of land or structures as shown by the following evidence:

4. The Variance is in harmony with the general purpose and intent of this Ordinance and preserves its spirit as shown by the following evidence:

5. In the granting of the Variance, the public safety and welfare have been assured and substantial justice has been done as shown by the following evidence:

Motion to approve the variance(s) but with added conditions to allow a reduction of the front yard setback from 50-feet to 39-feet to allow the reconstruction of the building in the previous building footprint in the Heavy Industrial zoning district.

Findings of Fact Required to Approve this Request:

1. Strict application of the Ordinance requirements results in practical difficulties and unnecessary hardships as shown by the following evidence:

2. Any practical difficulties or unnecessary hardships result from unique circumstances related to the land, and are not the result of the actions of the landowner as shown by the following evidence:

3. The Variance is the minimum action that will make possible a reasonable use of land or structures as shown by the following evidence:

-
4. The Variance is in harmony with the general purpose and intent of this Ordinance and preserves its spirit as shown by the following evidence:
-

5. In the granting of the Variance, the public safety and welfare have been assured and substantial justice has been done as shown by the following evidence:
-

Motion to deny the variance(s) thus requiring the building to comply with the setback set by the ordinance.

Findings of Fact Statements Required to Deny this Request:

1. There is not sufficient evidence that the strict application of the Ordinance requirements results in practical difficulties and unnecessary hardships as shown by the following evidence:

2. There is not sufficient evidence that any practical difficulties or unnecessary hardships result from unique circumstances related to the land, and are not the result of the actions of the landowner as shown by the following evidence:

3. There is not sufficient evidence that the Variance is the minimum action that will make possible a reasonable use of land or structures as shown by the following evidence:

4. There is not sufficient evidence that the Variance is in harmony with the general purpose and intent of this Ordinance and preserves its spirit as shown by the following evidence:

5. There is not sufficient evidence that in the granting of the Variance, the public safety and welfare has been assured and substantial justice has been done as shown by the following evidence:

Recommended Action:

The Planning staff recommends that the Zoning Commission move to APPROVE the Variance request as described above located in the Heavy Industrial (HI) Zoning District and because finding(s) 1-5 appear to have been met with the evidence currently submitted.

Attachments:

1. Application
2. Aerial Map
3. Zoning Map
4. Land Use Map
5. Site Plan
6. Photos

Project Overview

#373852

Project Title: King Signs
Application Type: 5.4) Variance
Workflow: Staff Review

Jurisdiction: City of Fayetteville
State: NC
County: Cumberland

Project Location

Project Address or PIN: 2828 ENTERPRISE AVE (0426-43-7659-)

GIS Verified Data

Property Owner: Parcel
• 2828 ENTERPRISE AVE: MEGMAC LLC

Acreage: Parcel
• 2828 ENTERPRISE AVE: 2.15

Zoning District:

Subdivision Name: Parcel
• 2828 ENTERPRISE AVE: ROBERT MCGINNIS

Variance Request Information

Requested Variances: Minimum yard/setback

Describe the nature of your request for a variance and identify the standard(s)/requirement(s) of the City Code proposed to be varied.: The existing building on the property was damaged by fire and this project consists of the demolition of the existing building and reconstruction of a new building of the exact size and shape on the existing foundation. The current building is non-conforming in that the front yard setback is approximately 39.6'. Required front yard setback in HI zone is 50'.

Section of the City Code from which the variance is being requested.: 30-3.E.9 front yard setback

Identify the zoning district designation and existing use of land for all adjacent properties, including those across the street.: Zoning district for the subject property is HI. Property to the east is zoned LI and contains an active business use. Property to the west is zoned HI and contains an active moving and storage business. Properties to north are zoned SF-10 and are single-family residences. Property to the south across Enterprise Avenue is zoned HI and it contains an active industrial use.

Justification for Variance Request - Use this and the following pages to answer the questions (upload additional sheets if necessary).

The Variance Standards states: A variance application shall be approved only upon a finding that all of the following standards are met.

1. Strict application of the Ordinance requirements results in practical difficulties and unnecessary hardships; it shall not be necessary to demonstrate that, in the absence of the variance, no reasonable use can be made of the property;
2. Any practical difficulties or unnecessary hardships result from unique circumstances related to the land, such as location, size, or topography, and are not the result from conditions that are common to the neighborhood or the general public be the basis from granting a variance;
3. The Variance is the minimum action that will make possible a reasonable use of land or structures;
4. The Variance is in harmony with the general purpose and intent of this Ordinance and preserves its spirit; and
5. In the granting of this Variance, the public safety and welfare have been assured and substantial justice has been done.

Please complete the following five (5) questions to verify the evidence that all the required standards are applicable to your property and/or situation.

Provide a written description of any hardship(s) and how such hardship(s) is not self-imposed.: A wooded buffer currently exists along the northern property line between the SF-10 properties and the subject property. There is limited cleared space between the rear of the existing building and the edge of the buffer, and any requirement to meet the front yard setback with a new building will result in some of the buffer area having to be cleared. The applicant is concerned that any removal of trees and reduction in the depth of that buffer will potentially expose the residential properties to noise and dust pollution from the movement of trucks and equipment around the site. Additionally, the topography of the subject property creates a more severe sloping condition in the northwest portion of the site where wet soils exist. An increased setback of the building will cause some encroachment in that area.

Indicate if the property has exceptional topographic conditions or some other extraordinary situation or condition that makes it unlike other properties in the immediate vicinity.: The topography of the subject property creates a more severe sloping condition in the northwest portion of the site where wet soils and some drainage structures exist. An increased setback of the building will cause some encroachment in that area and likely will require undercut, replacement and stabilization of unsuitable soils.

Is there some particular condition, situation, or development on the property immediately adjacent to the subject property that affects the subject property's ability to comply with the regulations?: The combination of the desire to maintain the current wooded buffer along the northern property line and the existence of unsuitable soils in the northwest corner creates a burden for the owner to meet the front yard setback.

Describe how the variance is in harmony with the general purpose and intent of the City Code, and preserves the spirit.: This industrial area was developed prior to adoption of the current zoning restrictions and adjacent properties to the east and west have similar non-conforming setbacks. The building on the property to the east is currently closer to the street right-of-way than the reconstructed building for King Signs would be.

Explain any potential negative external impacts that may result from the proposed variance, and how they will be mitigated. Financial hardship cannot be considered for a reason to grant a variance.: The proposed new building will be the same size, shape and location of the existing building so no negative external impacts will result from the granting of this variance request.

Primary Contact Information

Project Contact - Agent/Representative

George Rose
George M. Rose, P.E.
P.O. Box 53441
Fayetteville, NC 28305
P:910-977-5822
grose9295@gmail.com

Indicate which of the following project contacts should be included on this project: Engineer

Project Owner

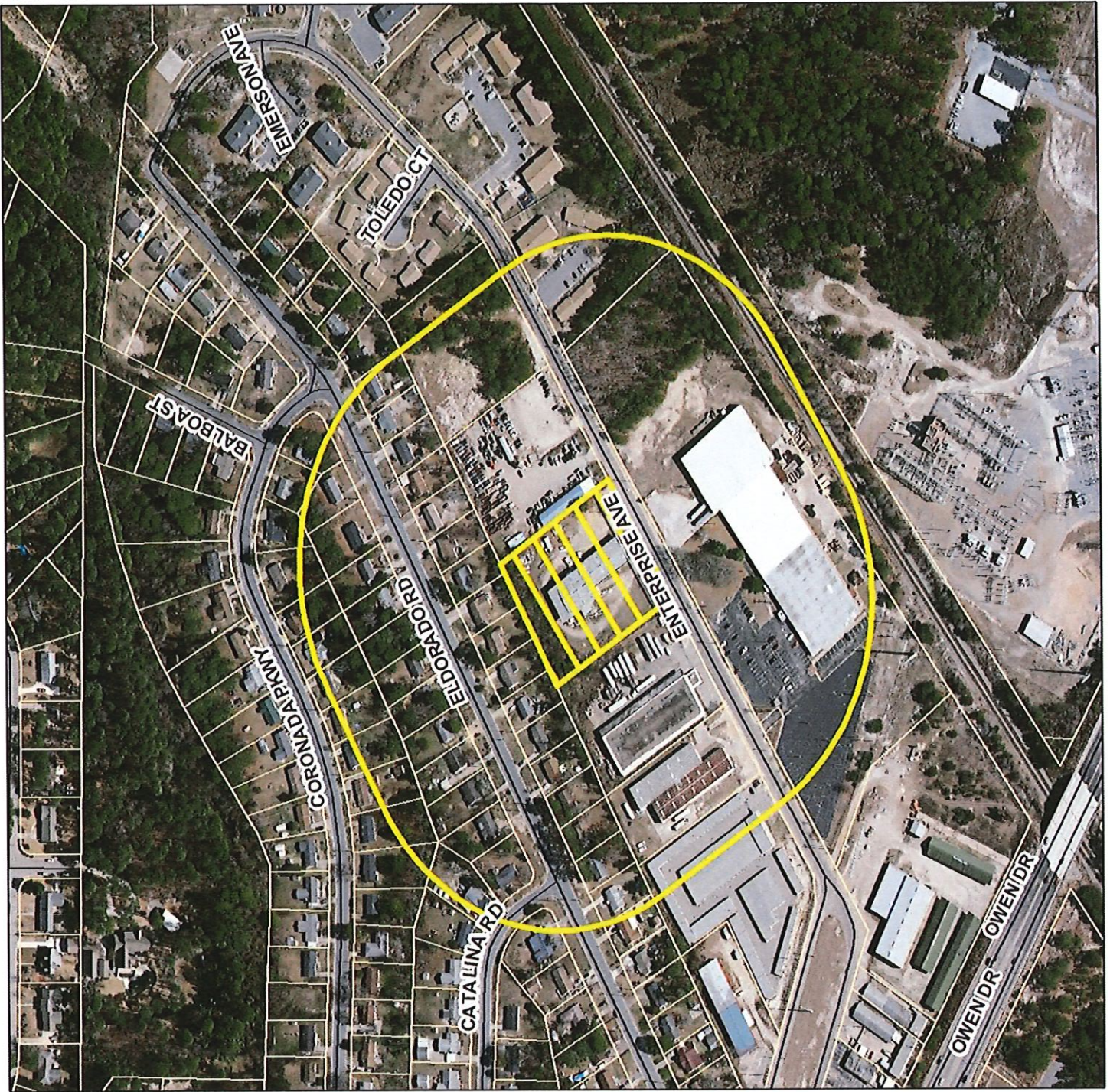
Dean King
MEGMAC LLC
2828 Enterprise Avenue
Fayetteville, NC 28306
P:910-424-0940
dean@kingsignsnc.com

NC State License Number:

As an unlicensed contractor, I am aware that I cannot enter into a contract that the total amount of the project exceeds \$30,000. :

Project Contact - Primary Point of Contact for Engineer

George Rose
George M. Rose, P.E.
P.O. Box 53441
Fayetteville, NC 28305
P:910-977-5822
grose9295@gmail.com



Aerial Notification Map

Zoning Commission
04/14/2020

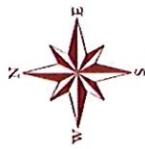
Case #: A20-16F

Request:
Variance
Setback Reduction

Location:
2828 Enterprise Avenue

Pins:
0426-43-7659

Acreage:
2.15 acres

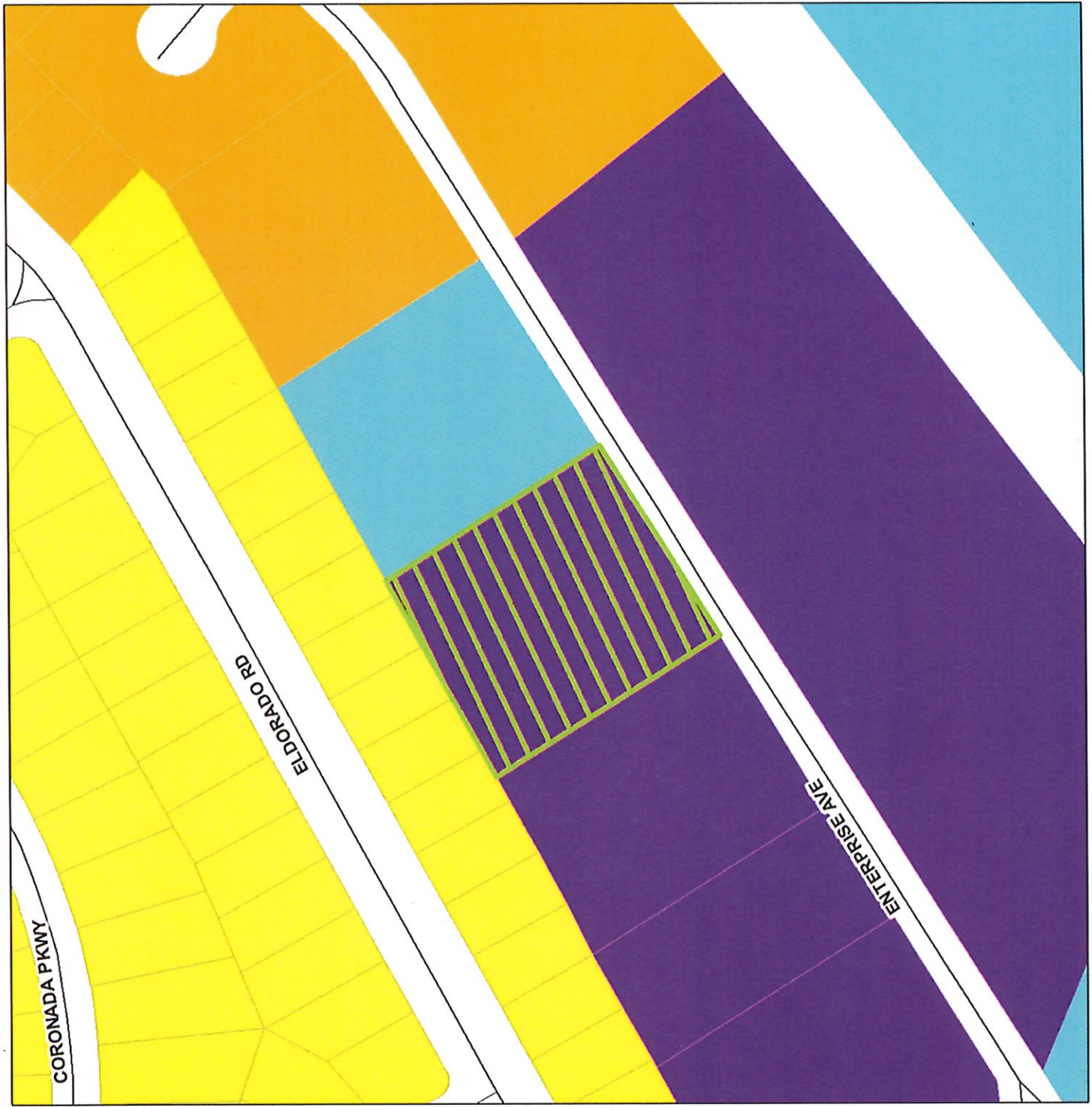


Legend



City of
Fayetteville
North Carolina
PLANNING

Letters are being sent to all property owners within the 300' buffer. Subject property is shown in the hatched pattern.



Zoning Map

Zoning Commission
04/14/2020

Case #: A20-16F

Request:
Variance

Location:
2828 Enterprise Avenue

Pin:
0426-43-7659

Acreage:
2.15 acres



- A20-16F
- HI - Heavy Industrial
- LI - Light Industrial
- MR-5 - Mixed Residential 5
- SF-10 - Single-Family Residential 10

City of
Fayetteville
North Carolina
PLANNING

Land Use Map

Zoning Commission
04/14/2020

Case #: A20-16F

Request:
Variance Request
(Setback Reduction)








Location:
28208 Enterprise Avenue

Pin:
0426-43-7659

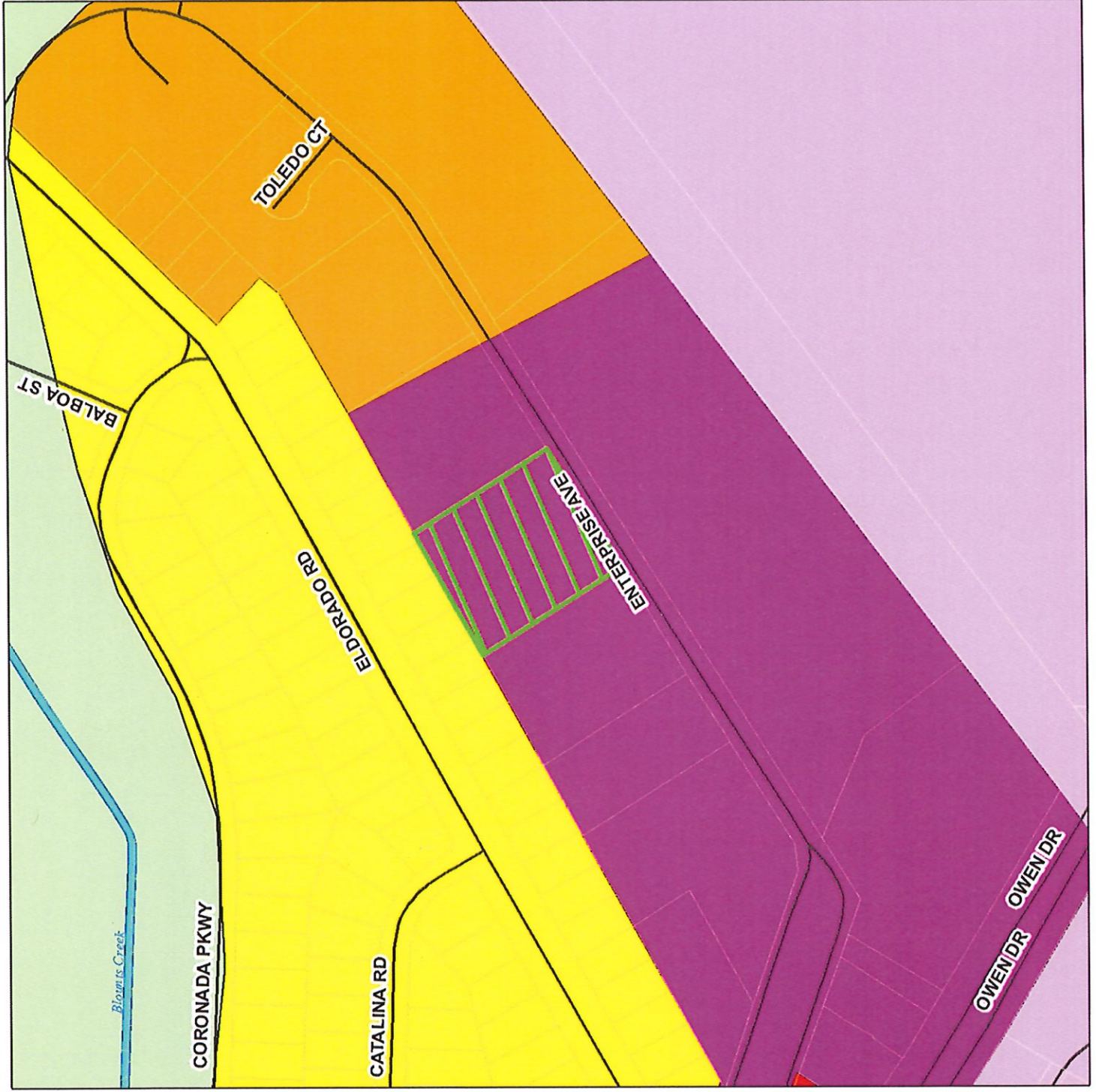
Acreage to be Rezoned:
2.15 acres



Legend

-  A20-16F
-  Low Density Residential
-  Medium Density Residential
-  Heavy Commercial
-  Light Industrial
-  Heavy Industrial
-  Open Space

City of
Fayetteville
North Carolina
PLANNING



REVISIONS
 2015-2016 THE COMPANY

[illegible]

LANDSCAPING REQUIREMENTS

1. TOTAL AREA IN TRACT = 40,000 sq. ft. ±
OPEN SPACE = 10,000 sq. ft. ±
% OF PROJECT SITE OF GRASS OR PLANTING TO BE DEVELOPED TO PAY FEE FOR REMAINING
2. STREET TREES
TOTAL INTERIMBRIE AVENUE FRONTAGE PLANTING REQUIRED = 1 CANOPY FT
3. TOTAL INTERIMBRIE AVENUE FRONTAGE PLANTING REQUIRED WITH ADJ. PLANTING OF BUILDING PERIMETER.
TOTAL PERIMETER OF BUILDING LESS TOTAL INTERIMBRIE AVENUE FRONTAGE = 100 FT. ±
36 TREES (CANOPY) FROM INTERIMBRIE AVENUE TO BUILDING PERIMETER
36 TREES (CANOPY) FROM INTERIMBRIE AVENUE TO BUILDING PERIMETER
NO SPECIES NEED ALL BE RESISTANT

NOTES

1. TOTAL AREA
2. CHOWN
3. MEDIAN ILLINOIS
- 2020 ENTIRE PATIENTS
3. REFERENCE
4. PIN NO. 04
5. EXISTING
6. POINT
7. NET

LEGEND

- EXISTING REQUIRE PROPERTY CONCORD
- TOP OF GRADE ELEVATION
- EXISTING WATER
- EXISTING WATER POLE
- EXISTING LIGHT POLE
- EXISTING AIR POLE
- EXISTING OVERHEAD ELECTRICAL
- EXISTING CONCRETE
- EXISTING NATURAL GAS LINE



PLANTING LEGEND			
SYMBOL	SPY	GLASS	SIZE
1	2	3	4
5	6	7	8
9	10	11	12
13	14	15	16
17	18	19	20
21	22	23	24
25	26	27	28
29	30	31	32
33	34	35	36
37	38	39	40
41	42	43	44
45	46	47	48
49	50	51	52
53	54	55	56
57	58	59	60
61	62	63	64
65	66	67	68
69	70	71	72
73	74	75	76
77	78	79	80
81	82	83	84
85	86	87	88
89	90	91	92
93	94	95	96
97	98	99	100

376 CONFIDENTIAL GRADE BENSIN FOR EMPLOYEE AND CUSTOMER SEATING

Subject Property



A20-17F. Request to issue a variance reduction in the required side setback from 15-feet to 5-feet thus allowing the construction of a two car carport/garage, located at 409 Devane Street (Tax Map # 0427-83-3502) and being the property of Jack and Daphne Mellott. **The applicant requested postponement of this case.** (Hadley Joseph)

P20-22F. Request to initially zone property from Commercial with Plan (CP) to Community Commercial (CC), located on Ramsey Street at its intersection with Bullard Circle (Tax Map # 0541-05-6993), containing 3.44 +/- acres, represented by Steve Oliverio and being the property of Meena Dave, Pramukh Enterprises LLC. (Craig Harmon)

ZONING COMMISSION

STAFF REPORT

TO: Zoning Commission Members

THRU: Taurus Freeman – Planning & Zoning Divisional Manager

FROM: Craig Harmon, CZO – Planner II

DATE: July 14, 2020

RE:

P20-22F. Request to initially zone property from Commercial with Plan (CP) to Community Commercial (CC), located on Ramsey Street at its intersection with Bullard Circle (Tax Map # 0541-05-6993), containing 3.44 +/- acres, represented by Steve Oliverio and being the property of Meena Dave, Pramukh Enterprises LLC.(Craig Harmon)

COUNCIL DISTRICT(S):

1 – Kathy Jensen

Relationship to Strategic Plan 2030:

2030 Goals, Goal II

Objective B: Implement strategies that diversify the city's tax base and increase the industrial and commercial tax bases.

Executive Summary:

The applicant, Steve Oliverio, on behalf of the owner Meena Dave, has submitted a request to annex and initially rezone 3.44 acres ± from Commercial with a Plan in Cumberland County's Jurisdiction (CP) to Community Commercial (CC). No proposed development plans have been submitted with this request.

Background:

This property is located on Ramsey Street at its intersection with Bullard Circle. The parent parcel is identified as 0541-05-6993, which is currently vacant.

Applicant: Steve Oliverio, Barlett Engineering and Survey

Owners: Meena Dave, Pramukh Enterprises LLC

Requested Action: Rezoning 3.44 acres ± from CP (County) to CC

Property Addresses: Ramsey Street at its intersection with Bullard Circle

Council District: 1 – Kathy Jensen

Status of Properties: Undeveloped

Size: 3.44 acres

Adjoining Land Use & Zoning:

- North: County R10 – Undeveloped & Single Family
- South: County R10 – Undeveloped & Single Family & Multi-Family
- West: County R10 – Undeveloped & Single Family
- East: County C(P) & M(P) – Undeveloped & Kelly Springfield

Traffic Count: 16,500 on Ramsey Street per day.

Letters Mailed: 19

2040 Comprehensive Plan and Future Land Use Map

The 2040 Future Land Use Plan and Map were adopted in 2020. The plan and map covers the entirety of Fayetteville's incorporated limits and Municipal Influence Area (MIA). Hence, the plan contains some recommendations, which are broad concepts applicable to all development within those areas.

According to Future Land Use Plan Map, this area should develop as a Community Center. These areas encourage more intense uses, greater mix of uses and denser residential types in key focal areas. The plan also calls for economic development to be encouraged in community centers.

Issues/Analysis:

The subject property and the surrounding area are still within Cumberland County's jurisdiction. Currently, the property in question is undeveloped. It is bordered to the east by Ramsey Street, which forms a buffer from the undeveloped and industrial property (Kelly Springfield) to the east.

There is a mixture of zoning districts in the area. The parcels to the north, west and south are zoned by the County as Residential 10 (R10); whereas, the parcels to the east are zoned Commercial and Manufacturing (CP & MP).

Land within the City is generally classified by the Unified Development Ordinance (UDO) to be within one of a number of base zoning districts. Land may be reclassified to one of a number of comparable zoning districts in accordance with Section 30-2.C.

Straight Zoning:

The request is for a straight zoning from County Commercial with a Plan (C(P)) to Community Commercial (CC).

The purpose of the CC zoning district is "established and intended to accommodate a diverse range of medium- to high-intensity retail, service, and office uses that provide goods and services serving the residents and businesses in the community at large—e.g., shopping centers, convenience stores, retail sales establishments, and heavier commercial uses (subject to approval of a Special Use Permit (see Section 30-2.C.7)). The district is typically located along major arterials, at the intersection of arterials, and along growth corridors identified in City plans. Higher-density residential uses are encouraged on the upper floors of nonresidential establishments, and may exist as

stand-alone buildings as part of a larger horizontal mixed- use development. The district is subject to standards intended to ensure development is compatible with surrounding uses as well as the design standards in Article 30-5: Development Standards.”

The reclassification of land to a straight zoning district allows all of the business/office/residential uses that are shown on the attached Use Table taken from the UDO. The City Council may not consider conditions or restrictions on the range of allowable uses, use standards, development intensities, development standards, and other regulations that are applicable.

Land Use Plan Analysis:

According to the 2040 Future Land Use Plan and Map, this area is best served as a Community Center. These centers encourage more intense uses, greater mix of uses and denser residential types in key focal areas. The plan also calls for economic development to be encouraged in community centers.

The City Planning Staff recommends APPROVAL of the map amendment to CC based on the following:

- This proposed zoning map amendment implements the policies adopted in the Unified Development Ordinance and 2040 Future Land Use Plan and Map. This district type is intended to accommodate a diverse range of medium- to high-intensity retail, service, and office uses that provide goods and services serving the residents and businesses in the community at large—e.g., shopping centers, convenience stores, retail sales establishments, and heavier commercial uses. and;
- The uses permitted by the proposed change in zoning district classification and the standards applicable to such uses will be appropriate in the immediate area of the land to be reclassified due to the existing zoning, uses surrounding this property and the recommendations of the 2040 Future Land Use Plan; and
- There are no other factors which will substantially affect the public health, safety, morals, or general welfare.

Budget Impact:

There is not an immediate budgetary impact but there may be an economic impact associated with this rezoning that will occur over the next decade.

Options:

1. Approval of the initial map amendment/rezoning to CC.
2. Approval of the Initial map amendment/rezoning to a more restrictive zoning district.
3. Deny the rezoning request.

Recommended Action:

The Staff recommends that the Zoning Commission recommend approval of the requested rezoning to CC (Community Commercial) as presented by Staff and based on the information provided above and all attachments.

- The amendment is consistent with applicable plans because: 1) the City's Unified Development Ordinance and 2040 Future Land Use Plan supports community commercial zoning district uses in the area; 2) the uses surrounding this property are a mix of uses which are compatible with the proposed zoning; and 3) the proposed zoning is reasonable and in the public interest because the proposed zoning fits the character of the overall area.

Attachments:

1. Application
2. Aerial Notification map
3. Zoning Map
4. Land Use Plan Map
5. Subject Properties Photos
6. Surrounding Properties Photos
7. Property Map
8. Affidavit of Ownership
9. UDO Table of Uses

Project Overview

#372553

Project Title: Ramsey Street

Application Type: 5.1) Rezoning (Map Amendment)

Workflow: Staff Review

Jurisdiction: City of Fayetteville

State: NC

County: Cumberland

Project Location

Project Address or PIN: 0 RAMSEY ST (0541-05-6993-)

GIS Verified Data

Property Owner: Parcel

- 0 RAMSEY ST: PRAMUKH ENTERPRISES LLC ATTN: MEENA DAVE

Acreage: Parcel

- 0 RAMSEY ST: 3.44

Zoning District:

Subdivision Name: Parcel

- 0 RAMSEY ST: NOT APPLICABLE

Fire District:

Airport Overlay District:

Hospital Overlay District:

Coliseum Tourism District:

Cape Fear District:

Downtown Historic District:

Haymount Historic District:

Floodway:

100 Year Flood:

500 Year Flood:

Watershed:

General Project Information

Has the land been the subject of a map amendment application in the last five years?: No

Previous Amendment Approval Date:

Previous Amendment Case #:

Proposed Zoning District: CC

Acreage to be Rezoned: 3.46

Is this application related to an annexation?: Yes

Water Service: Public

Sewer Service: Public

A) Please describe all existing uses of the land and existing structures on the site, if any: Existing vacant lot.

B) Please describe the zoning district designation and existing uses of lands adjacent to and across the street from the subject site.: Proposed CC Zoning designation. Surrounding area is within Cumberland County zoning district with commercial lots across Ramsey Street.

Amendment Justification - Answer all questions on this and all pages in this section (upload additional sheets as needed).

A) State the extent to which the proposed amendment is consistent with the comprehensive plan and all other applicable long-range planning documents.: The subject property is along a busy roadway, Ramsey Street (US Hwy 401), with like-kind

commercial businesses fronting the roadway in either direction. The proposed zoning designation blends well with the commercial corridor that exists in this area.

B) Are there changed conditions that require an amendment? : Yes. This property has filed for annexation with the City of Fayetteville. The Zoning Map will need amended to bring this property into the area of City Zoning Designation.

C) State the extent to which the proposed amendment addresses a demonstrated community need.: The proposed use is in the medical field, always a community need.

D) State the extent to which the proposed amendment is compatible with existing and proposed uses surrounding the subject land, and why it is the appropriate zoning district for the land.: The proposed Fayetteville CC Zoning designation will be an appropriate use as it will blend in well with the existing commercial corridor along Ramsey Street in this area. It will also provide a low intensity transition into the neighboring residential areas to the north and west.

E) State the extent to which the proposed amendment results in a logical and orderly development pattern.: The proposed zoning designation of Fayetteville CC will provide a low intensity commercial use along the existing commercial corridor allowing for a logical transition into the neighboring residential uses and blending in well with the existing commercial uses in the area.

F) State the extent to which the proposed amendment might encourage premature development.: Development is currently existing and/or underway on both sides of Ramsey Street, therefore this proposed amendment will have no effect on encouraging premature development.

G) State the extent to which the proposed amendment results in strip-style commercial development.: Not applicable. Proposed use is for a stand alone office building, with possible addition of a second medical office building in the future. No strip-style buildings or development is proposed.

H) State the extent to which the proposed amendment results in the creation of an isolated zoning district unrelated to adjacent and surrounding zoning districts.: This parcel is not contiguous with the current City of Fayetteville city limits. Due to requiring the city utility services, annexation is a requirement and has been submitted for. This will create a Fayetteville Zoning Designated Parcel surrounded by existing Cumberland County zoned parcels. However, the proposed use does blend in with the surrounding area and uses.

I) State the extent to which the proposed amendment results in significant adverse impacts on the property values of surrounding lands.: This proposed zoning designation will not cause any significant adverse impacts on the property values of surrounding lands.

J) State the extent to which the proposed amendment results in significantly adverse impacts on the natural environment.: The proposed zoning designation and use will not cause any significant adverse impacts on the natural environment. All Federal, State and Local guidelines and specifications will be followed during the design and construction of this development.

Primary Contact Information

Project Contact - Agent/Representative

Steve Oliverio
Bartlett Engineering and Survey
1906 Nash Street North
Wilson NC, 27893, NC 27893
P:252-399-0704
steve@bartletteng.com

Project Owner

Meena Dave
Pramukh Enterprises LLC
350 Pine State Street
Lillington, NC 27546
P:919-656-4905
F:910-893-9747
meenailesh@hotmail.com

Indicate which of the following project contacts should be included on this project: Engineer

NC State License Number:

As an unlicensed contractor, I am aware that I cannot enter into a contract that the total amount of the project exceeds \$30,000. :

Project Contact - Primary Point of Contact for Engineer

Steve Oliverio
Bartlett Engineering and Survey

1906 Nash Street North
Wilson NC, 27893, NC 27893
P:252-399-0704
steve@bartletteng.com

Aerial Notification Map Zoning Commission

7/14/20

Case #: P20-22F

Request:
Initial Zoning (Map Amendment)
To CC

Location:
unaddressed Ramsey Street

Pins:
0541-05-6993

Acres to be Rezoned:
3.44 acres +/-

Legend

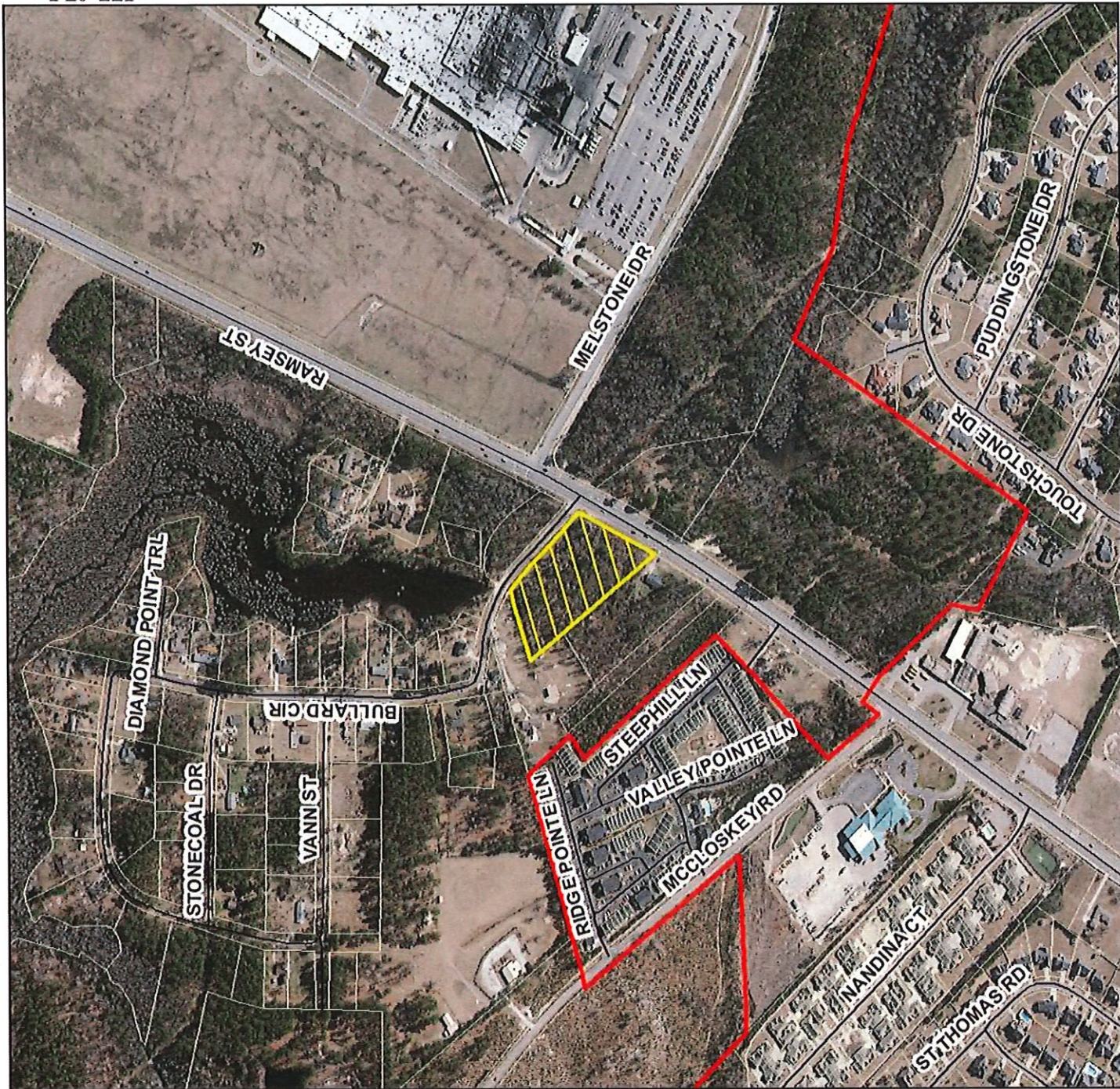


Letters are being sent to all property owners within the 500' buffer. Subject property is shown in the hatched pattern.

Recommendation: Approval

Disposition Date: 7/14/20

Final Action:



Zoning Map

Zoning Commission

7/14/20

Case #: P20-22F

Request:
Initial Zoning
(Map Amendment)
C(P) (County Zoning) to CC

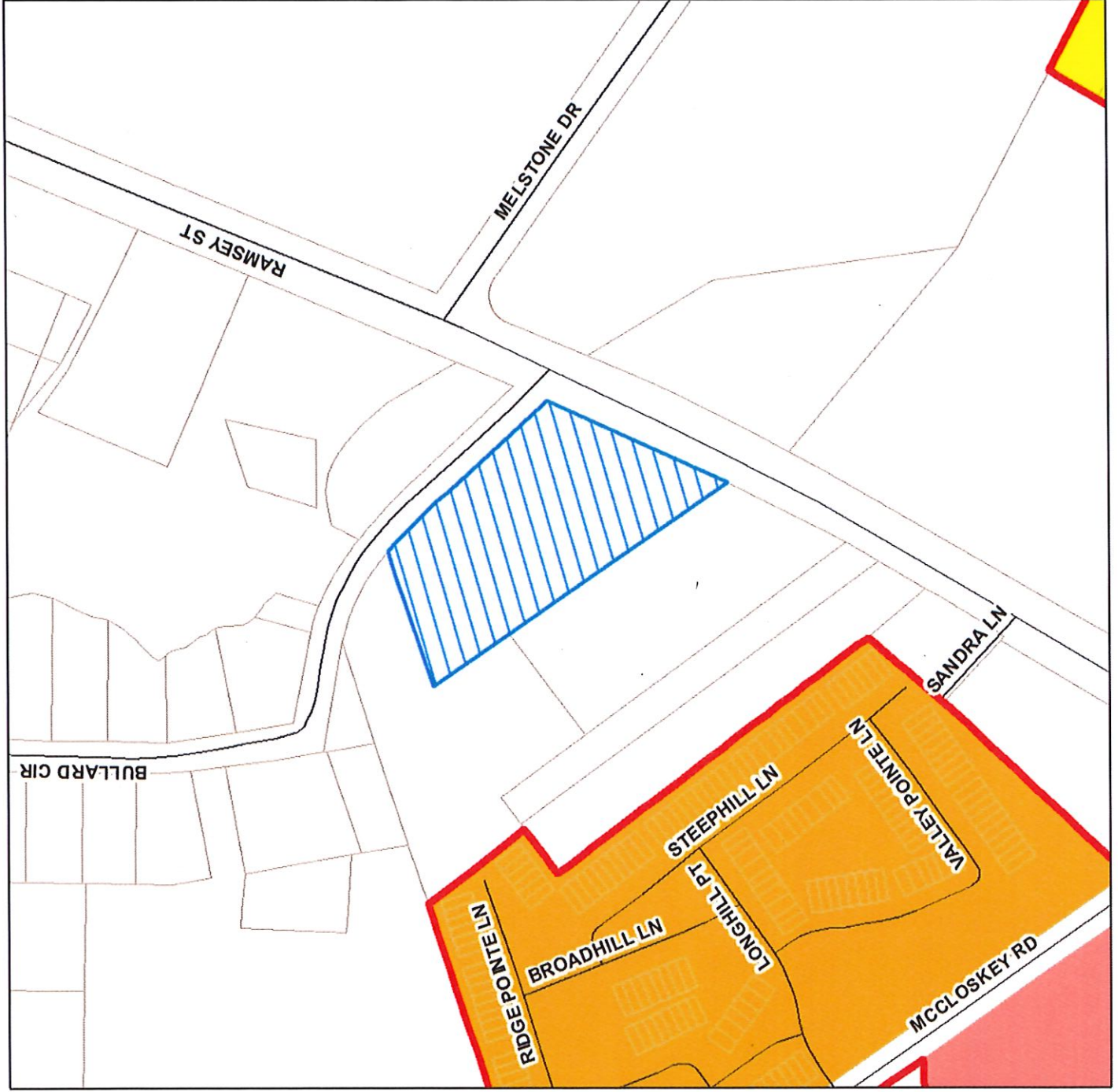
Location:
0 Ramsey Street

Pin:
0541-05-6993

Acreage:
3.44 acres



-  P20-22F
-  LC - Limited Commercial
-  MR-5 - Mixed Residential 5
-  SF-10 - Single-Family Residential 10
-  City Limits



City of
Fayetteville
North Carolina
PLANNING

2040 Future Land Use Plan Map

Zoning Commission
07/14/2020

Case #: P20-22F

Request:
Rezoning
(Map Amendment)
MR-5 to OI


Location:
1014 Weiss Avenue
2 unaddressed parcels Weiss Avenue

Pin:
0427-90-3386
0427-90-4461
0427-90-3332

Acres to be Rezoned:
1.35 acres +/-









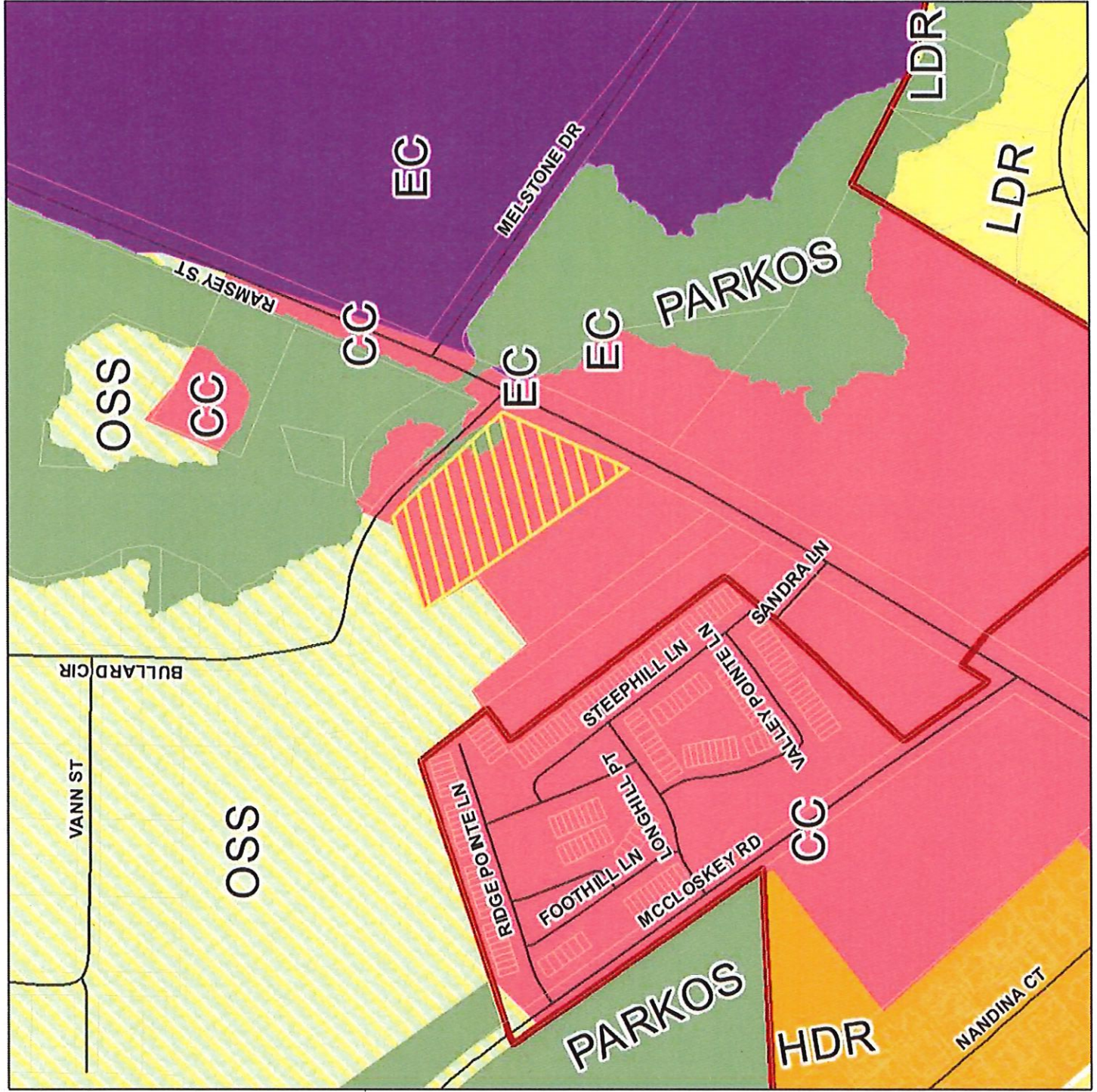
Legend

 Parcels selection

 FayFLU Thematic

FUTURE LAND USE

-  PARKOS - PARK / OPEN SPACE
-  OSS - OPEN SPACE SUBDIVISIONS
-  LDR - LOW DENSITY
-  HDR - HIGH DENSITY RESIDENTIAL
-  CC - COMMUNITY CENTER
-  EC - EMPLOYMENT CENTER



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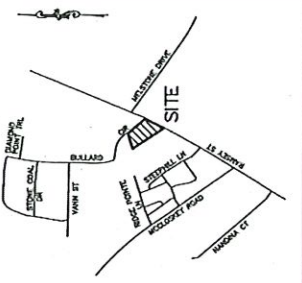
Subject Property



Adjacent Properties



CURVE TABLE				
CURVE	LENGTH	RADIUS	DELTA	CHORD
C1	107.130	922.75	82°33'	543.950E
				107.07



LOCATION MAP
NO SCALE

SITE DATA

TOTAL AREA 3.46 ACRES
NUMBER OF LOTS 1
CURRENT ZONING C(P)
PROPOSED ZONING CC
SITE ADDRESS RAMSEY STREET
PIN: 05411056993
REFERENCES: DEED BOOK 9554 PAGE 132
PRAMUKH ENTERPRISES LLC
350 PINE STREET
LILLINGTON, NC 27546
OWNER/DEVELOPER:

C(P) TO CC
REZONING REQUEST

PROPERTY OF

PRAMUKH ENTERPRISES LLC

CARVERS CREEK TWP. CUMBERLAND CO.
NORTH CAROLINA
ZONE:

BARTLETT
ENGINEERING & SURVEYING, PC

1906 NASH STREET NORTH
WILSON, N.C. 27783-1728
TELE: (252) 399-0704
FAX: (252) 399-0804
www.bartlett.us.com
License No. C-1551

PROJECT: 20-009
DATE: MARCH 2020 SURVEY BY: LR
SCALE: 1" = 100' DRAWN BY: LR
CODE: SHRLJ
DWG FILE: 2009RZ1



GRAPHIC SCALE

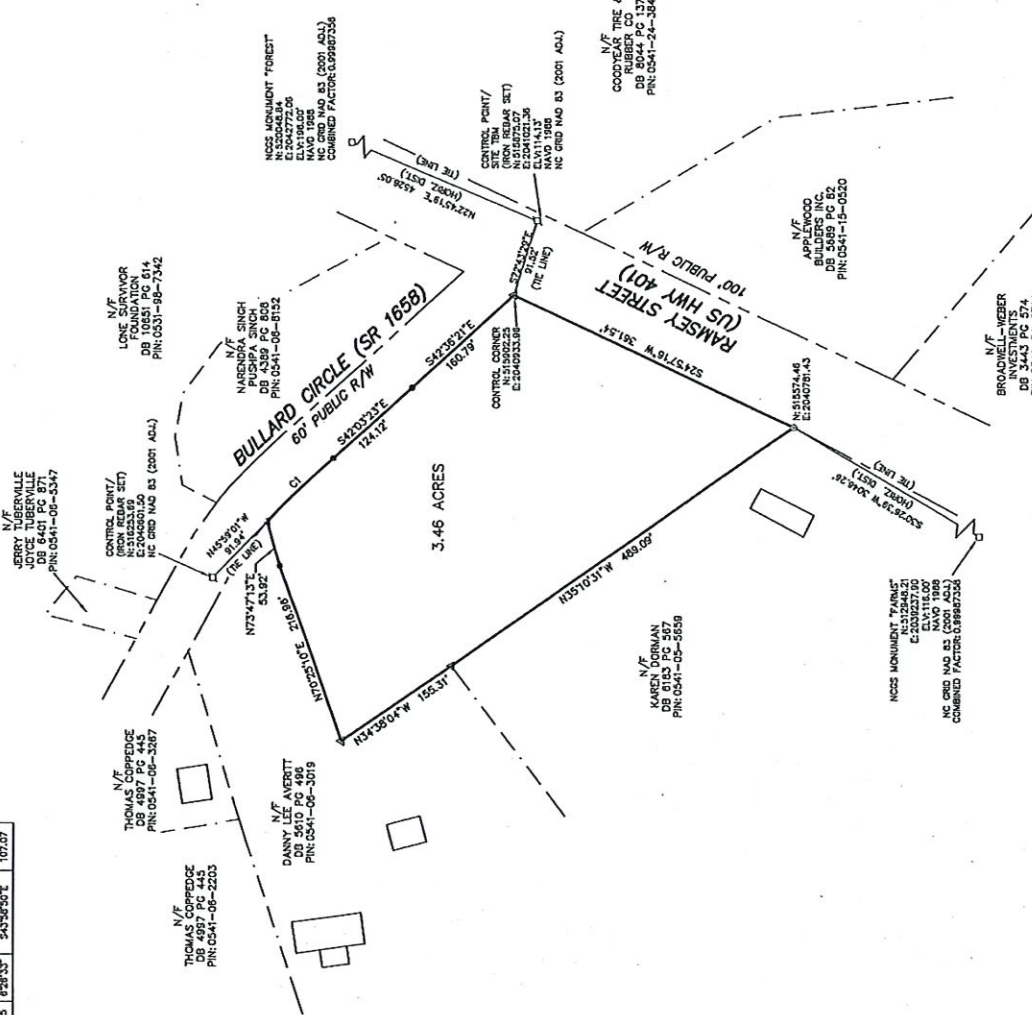


(IN FEET)
1 inch = 100 ft



I, William A. Bartlett, certify that this survey is of an actual survey made under my supervision (used my own or other qualified persons) and that the same was made in accordance with the provisions of Chapter 47-30 as amended. Witness my signed signature, license number and the date of this survey at WILSON, N.C., 2020.

William A. Bartlett
Professional Land Surveyor



AFFIDAVIT OF OWNERSHIP

I, Meena Dave, being duly sworn, deposes and says:

1. That I am the owner of the property/properties located at Ramsey Street at Bullard Circle in the City of Fayetteville, a political subdivision of the State of North Carolina.

2. I do hereby give permission to Bartlett Engineering & Surveying, PC to submit a Conditional Rezoning/Rezoning/Variance/Special Use (circle one) application to the City of Fayetteville on my behalf for the above referenced property/properties.

3. This authority is only granted for the application to be submitted on 4/14/2020.

Meena Dave
Signature of Affiant

Signature of Affiant

Cumberland County, North Carolina

Sworn to and subscribed before me this day on the 14 day of April, 2020.

Stephanie Lynn McLean
Signature of Notary Public

(Official Seal)

Stephanie Lynn McLean, Notary Public
Printed Name of Notary Public

My Commission Expires: 9/19/2021

